

REMARKS

Claims 1-35 and 43-51 are pending in the present application prior to this response. Claims 27-31 are allowed. Claims 1-5, 8-12, 14, 16-26, 32-35 and 43-51 are rejected. Claims 6, 7, 13 and 15 are objected to. No claims have been amended. Reconsideration of the rejections of all claims is requested.

**I. Rejection of Claims 1-5, 8-12, 14, 16-26, 32-35, and 43-51 Under 35 U.S.C. §103(a)**

Claims 1-5, 8-12, 14, 16-26, 32-40, and 43-56 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,256,030 (Berry et al.).

**CLAIM 1**

Claim 1 is independent and is restated as follows:

An electronic device, comprising:  
a display, wherein an image is displayable on said display; and  
a navigation sensor, whereby movement of said electronic device relative to a surface in close proximity to said navigation sensor is sensed by said navigation sensor and **said movement includes moving said display** and said movement produces a change in said image that is showing on said display.

Some portions of claim 1 that are not disclosed by Berry have been replicated above in bold type.

The applicants previously argued that the cited art does not disclose moving a display along with a navigation sensor as claimed in claim 1. More specifically, with regard to moving the navigation sensor, claim 1 includes the limitation of "said

movement includes moving said display." The applicants note that the electronic device comprises both the navigation sensor and the display. Therefore, claim 1 includes the limitation of the display being moved along with the electronic device, which is not disclosed in Berry.

The applicants note that the Berry reference refers to a computer system wherein the monitor (16) of the Berry reference was said to correspond to the claimed display. The mouse (13) of Berry is said to correspond to the claimed navigation sensor.

In the Response to Arguments section of the final office action, the office action states:

The examiner agrees with the applicant that the prior art has no disclosure related to moving the monitor along with the mouse to cause the displayed image to change because it is not a claimed limitation.

The applicants respectfully point out that the limitation of "said movement includes moving said display" is present in claim 1. Thus, the movement does include the claimed display along with the claimed navigation sensor, contrary to the holding in the office action.

The office action holds, as the applicants have argued, that none of the cited references disclose moving a monitor (claimed display) along with a mouse (navigation sensor). As set forth above, this limitation is clearly present in claim 1.

Based on the foregoing, the applicants respectfully request reconsideration of the rejection.

## CLAIMS 2-5

Claims 2-5 are allowable by way of their dependence on allowable claim 1. Accordingly, the applicant requests reconsideration of the rejections.

**CLAIM 8**

**Claim 8 is independent and is restated as follows:**

**An electronic device, comprising:**

**a display;**

**a navigation sensor coupled to said display whereby said navigation sensor detects a movement of said electronic device relative to a surface in close proximity to said navigation sensor and said movement includes movement of said display and an image displayed on said display is altered in response to said movement.**

**Some portions of claim 8 that are not disclosed by Barry et al. have been replicated above in bold type.**

Claim 8 was rejected on the same grounds as claim 1. Therefore, the applicants incorporate the rebuttals to the rejection of claim 1 into this rebuttal.

Claim 8 includes the limitation of "said navigation sensor detects a movement of said electronic device relative to a surface." Thus, the navigation sensor detects movement of the electronic device relative to a surface. In addition, claim 1 includes the limitation of "said movement includes movement of said display." As with claim 1, the claimed movement includes movement of the display.

As set forth above, the office action states that none of the references include movement of a navigation sensor and a display.

Based on the foregoing, the applicants respectfully request reconsideration of the rejection.

**CLAIMS 9-12, 14, and 16**

Claims 9-12, 14, and 16 are allowable by way of their dependence on allowable claim 8. Accordingly, the Applicant requests reconsideration of the rejections.

**CLAIM 17**

Claim 17 is independent and is restated as follows:

**A method of manipulating an image displayed by a device on a display, said method comprising:**

**moving the entire device including said display relative to a surface upon which said device is placed;**

**detecting movement of said entire device relative to said surface; and manipulating said image based on said movement.**

Some portions of claim 17 that are not disclosed by Barry et al. have been replicated above in bold type. Claim 17 was rejected on the same grounds as claims 1 and 8. Therefore, the rebuttals to the rejections of claims 1 and 8 are included in this rebuttal.

Claim 17 includes the element of "moving the entire device including said display" to manipulate an image on a display.

The Response to Arguments section of the office action states that none of the references disclose movement of a mouse along with a monitor. The office action relates the monitor to the claimed display. The applicants infer that some sort of navigation sensor is present in the device. Thus, the mouse relates to the device.

As stated above, the office action states that the references do not disclose moving a mouse along with a monitor. Therefore, the references cannot disclose moving a display along with the device as claimed.

Based on the foregoing, the applicants respectfully request reconsideration of the rejection.

**CLAIMS 18-21**

Claims 18-21 are allowable by way of their dependence on allowable claim 17. Accordingly, the Applicant requests reconsideration of the rejections.

**CLAIM 22**

Claim 22 is independent and is restated as follows:

**A method of manipulating an image displayed on a display, said method comprising:**

**detecting a movement of a device that includes said display**  
wherein said movement is detected relative to a surface in contact with  
said device; and,

altering said image in response to said movement.

Some portions of claim 22 that are not disclosed by Barry et al. have been replicated above in bold type. Claim 22 was rejected on the same grounds as claims 1, 8, and 17. Therefore, the rebuttals to the rejections of claims 1, 8, and 17 are included in this rebuttal.

Claim 22 includes "detecting a movement of a device that includes said display." The image on the display is altered in response to the movement.

In Berry et al. the monitor which, according to the office action corresponds to they display, does not move to manipulate the image on the monitor. The mouse is the only device that moves in order to manipulate the image on the monitor. Thus, Berry does not disclose, among other elements of claim 22 "detecting movement of a device that includes said display."

Based on the foregoing, the applicants respectfully request reconsideration of the rejection.

**CLAIMS 23-26**

Claims 23-26 are allowable by way of their dependence on allowable claim 22. Accordingly, the Applicant requests reconsideration of the rejections.

**CLAIM 32**

**Claim 32 is independent and is restated as follows:**

**A method of previewing a scanned image, said method comprising:**  
**displaying a first part of a scanned image;**  
**displaying a second part of said scanned image in response to relative**  
**movement between a scanning device and a surface in close proximity to**  
**said scanning device.**

According to the Office Action, the Examiner has interpreted the mouse in Berry as a scanner. The Examiner has failed to show how the mouse in Berry is used as a scanner or is able to scan. The office action states that the mouse is used to display scanned images, but there is no explanation of a mouse being a scanner.

Based on the foregoing, the applicants respectfully request reconsideration of the rejection.

**CLAIMS 33-35**

Claims 33-35 are allowable by way of their dependence on allowable claim 32. Accordingly, the Applicant requests reconsideration of the rejections.

**CLAIM 43**

**Claim 43 is independent and is restated as follows:**

**An electronic device comprising:**  
**a display located on a first side of said electronic device;**  
**a navigation sensor located on a second side of said electronic**  
**device, said second side being opposite said first side, wherein said**  
**navigation sensor detects movement of a part of a user relative to said**

navigation sensor located in close proximity to said navigation sensor, and wherein an image displayed on said display is altered in response to said movement of said part of said user relative to said navigation device.

Some portions of claim 43 that are not disclosed by Barry et al. have been replicated above in bold type. Some portions of claim 43 that are not disclosed by Berry have been replicated above in bold type.

Claim 43 includes "a display located on a first side of said electronic device" and "a navigation sensor located on a second side of said electronic device." There is no disclosure related to such a device.

The office action discusses scrolling using a mouse, but there is nothing related to "display located on a first side of said electronic device" and "a navigation sensor located on a second side of said electronic device" in the office action.

Based on the foregoing, the applicants respectfully request reconsideration of the rejection.

#### **CLAIMS 44-51**

Claims 44-51 are allowable by way of their dependence on allowable claim 43. Accordingly, the Applicant requests reconsideration of the rejections.

#### **II. Objection to Claims 6, 7, 13 and 15**

Claims 6, 7, 13, and 15 were objected to as being dependent on rejected base claims and would be allowed if written in independent form. The applicant contends that the base claims are allowable and, thus, the aforementioned claims are allowable.

In view of the foregoing, the applicants request reconsideration of all rejected claims.

Respectfully submitted,  
KLAAS, LAW, O'MEARA & MALKIN, P.C.

Dated: July 28, 2004

By:

  
Robert W. Nelson  
Reg. No. 37,898  
1999 Broadway, Suite 2225  
Denver, CO 80202  
Tel: (303) 298-9888  
Fax: (303) 297-2266

Docket No. 10991692-1

9